

FOR OFFICIAL USE ONLY

Military Commission Case No. 04-0001

UNITED STATES)	Military Commission Members
)	
v.)	Appointing Order No. 05-0001
)	
DAVID MATTHEW HICKS)	September 20, 2005
a/k/a Abu Muslim al Austraili)	
a/k/a Muhammed Dawood)	
)	

The June 25, 2004, order appointing military commission members in the above-styled case is amended as follows:

The following members were excused pursuant to my written decision dated October 19, 2004:

Colonel [REDACTED] Member
Lieutenant Colonel [REDACTED] Member
Lieutenant Colonel [REDACTED] Alternate Member

On August 31, 2005, Military Commission Order No. 1 was amended to remove all members, except the Presiding Officer, from the determination of all legal questions other than the admissibility of evidence. The following members, having previously participated in proceedings concerning the determination of such questions, are hereby excused to preclude any possibility that those discussions would inappropriately affect deliberations or votes on findings and sentencing (if necessary) in this case:

Colonel [REDACTED] Member
Colonel [REDACTED] Member

The following members and alternate members are appointed for the purpose of trying any and all charges referred for trial in the above-styled case:

Colonel [REDACTED] Member
Colonel [REDACTED] Member
Colonel [REDACTED] Member
Colonel [REDACTED] Member
Colonel [REDACTED] Member
Colonel [REDACTED] Member
Commander [REDACTED] 1st Alternate Member
Lieutenant Colonel [REDACTED] 2nd Alternate Member

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Colonel Peter E. Brownback, III, USA, previously appointed as the Presiding Officer, remains the Presiding Officer.

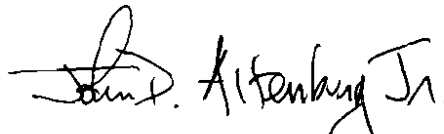
The first and/or second members (if any) that are excused by the Presiding Officer will be automatically replaced by the named 1st and/or 2nd Alternate Members, respectively.

My December 10, 2004, Directive, staying the proceedings in four named cases, is hereby revoked for the above-styled case.

The Presiding Officer will convene, if practical, a session without the other members of the military commission within the next thirty days to resolve motions and any other matters as deemed appropriate by the Presiding Officer.

As expeditiously as possible following the initial session, the Presiding Officer will convene sessions to conduct voir dire and challenges of the other members, to resolve additional motions, if any, and to begin trial on the merits in the above-styled case.

Any decisions on motions previously made by the commission as a whole, whether or not announced, are hereby vacated. The parties will be provided a fresh opportunity to file and litigate motions in whatever manner the Presiding Officer determines will best provide the accused with a full and fair trial.


John D. Altenburg, Jr.
Appointing Authority
For Military Commissions